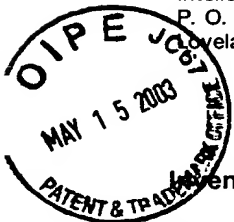


AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Cleveland, Colorado 80537-0599



5-16 3

PATENT APPLICATION

ATTORNEY DOCKET NO. 10981247-1

#11  
5/20/03

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert W. Dmitroca

Serial No.: 09/456,603

Examiner: S. Willett

Filing Date: 12-08-1999

Group Art Unit: 2141

Title: METHOD AND APPARATUS FOR MANAGING PERFORMANCE DATA ABOUT A NETWORK

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

05/19/2003 DTESSEM1 00000136 09456603  
01 FC:1253 930.00 CH  
02 FC:1401 320.00 CH

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MAY 19 2003

Technology Center 2100

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 11-22-2003, rejecting the following claims 1-20.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$320.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

( ) one month \$110.00  
( ) two months \$410.00  
(X) three months \$930.00  
( ) four months \$1450.00

05/19/2003 DTESSEM1 00000045 062380 09456603  
Sale Ref: 00000136 DAN: 062380 09456603  
01 FC:1253 930.00 CH  
02 FC:1401 320.00 CH

( ) The extension fee has already been filed in this application.

( ) (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 06-2380 the sum of \$1250.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 06-2380 pursuant to 37 CFR 1.25.

(X) A duplicate copy of this transmittal letter is enclosed.

EV255977745US

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.  
Date of Deposit:

05-15-2003

Typed Name:

Signature: John Pallivathukal

Respectfully submitted,

Robert W. Dmitroca

By

Michael A. Papalas

Attorney/Agent for Applicant(s)

Reg. No. 40,381

Date: 05-15-2003